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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF MAY, 1998

BEFORE

THE HON'BLE MR. JUSTICE T. N. VALLINAYAGAM

WRIT PETITION NO. 31883/97

BETWEEN:

B.S. Subramanyam,

s/o B.S. Shivarajamiah,

Proprietor,

Sri Vinayaka Motor Service,

Chelur,

Bagepalli Taluk,

Kolar District.

.. Petitioner

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(By Sri B.R. Sundaraja Gupta, Ad. for petitioner)

AND

.. P2.

1. The Karnataka State Transport-  
Appellate Tribunal,  
Multistoreyed Buildings,  
Dr.Ambedkar Veedhi,  
Bangalore-560 001,  
by its Presiding Officer.
  2. The Regional Transport Authority,  
Kolar,  
by its Secretary.
  3. The Managing Director,  
Karnataka State Road Transport  
Corporation,  
Central Office,  
Kengal Hanumathaiah Road,  
Bangalore-560 027.                      .. Respondents
- (By Sri R.K.Hatti, HCGP, for respondents)

This Writ petition filed under Articles  
226 and 227 of the Constitution of India with  
an affidavit praying to quash vide Anx.C  
dt.4.10.97 by R1 and etc.,

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The writ petition coming for preliminary  
orders  
hearing this day the Court made the following

ORDER

The grievance of the petitioner is  
that there were two renewals one up to  
31.8.96 and another up to 31.8.2001. The first  
renewal was challenged. But when that challenge  
was pending, the second renewal was made.  
While deciding the validity of the first renewal  
the Tribunal has chosen to consider the second  
renewal as bad without any challenge being  
made for such renewal. This is evidently  
an error apparent on the face of the record.

2. The learned Government Advocate re-  
presenting first and second respondents also  
fairly submits that the order is not sustainable.

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3. The writ petition is therefore

allowed and the order passed at Annexure-C

is quashed.

Sd/-JUDGE

Kb

COPY

B

R by *[Signature]*

*W2*  
Assistant Registrar  
High Court of Karnataka  
Bangalore-560001

C by *[Signature]*  
1/8/98

*W/5/10/98*

